

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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| EVELYN WILLIAMS, <i>Plaintiff,</i> vs. BARTON MALOW CO., et al. <i>Defendants.</i> | Case No. 3:20-CV-02594-JGC Judge James G. Carr |
| PLAINTIFF EVELYN WILLIAMS'S STATUS REPORT | |

As requested in this Court's February 7, 2022 Minute Order, Plaintiff Evelyn Williams submits the following status report.

As Defendants point out in the status report they filed this morning, Plaintiff Williams has filed a bankruptcy petition in the U.S. Bankruptcy Court for the Northern District of Ohio, Case No. 22-11291 (JPS). After due consideration, it appears that the undersigned counsel have no interests adverse to those of the bankruptcy estate (other than those interests specifically reserved in their engagement agreement with Ms. Williams) and that they may, with bankruptcy court approval, continue to prosecute this case as counsel for the estate. The estate's trustee, with whom counsel have conferred frequently, is in the process of filing, in the bankruptcy court, a "Motion for Authority to Employ Special Counsel to Pursue an Employment-Related Claim on a Contingency-Fee Basis," which he expects will be approved in about a month's time.

Given the above, Plaintiff Williams agrees with Defendants that the Court should consider staying the case until the approval occurs (or, what amounts to the same thing, vacating the current

discovery schedule pending such approval).¹ Once the expected approval occurs, Plaintiff's and Defendants' counsel can confer about the time they anticipate will be needed to conclude deposition discovery and advise the Court accordingly. Or the Court could convene a status conference at which scheduling, and perhaps other matters, can be discussed. In the meantime, and barring contrary word from the Court, Plaintiff's counsel will plan to participate in the currently scheduled September 12 status conference.

Dated: September 2, 2022

Respectfully submitted,

/s/ Donald Screen

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bankruptcy estate (pending bankruptcy court
approval) and its trustee*

¹ Plaintiff Williams does not believe it was necessary for her (or for Defendants) to have suggested or moved the Court for a stay earlier in the case. Under the Bankruptcy Code, the filing of a petition “operates as a stay ... of ... the commencement or continuation ... of a judicial, administrative, or other action or proceeding *against the debtor* that was or could have been commenced before the commencement of the case under this title ...” 11 U.S.C. 362(a) (emphasis added). This case of course was not brought *against the debtor* (Williams) but was brought *by* her against Defendants.